

VIA HAND DELIVERY ON MARCH 21, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: CHOI et al.

Group Art Unit: 1641

Application No.: 09/765,271

Examiner: Unknown

Filed: January 22, 2001

Attorney Dkt. No.: PB34CP2C3

For: *Streptococcus pneumoniae* Antigens and Vaccines

REPLY TO NOTICE TO COMPLY

Commissioner For Patents
Washington, D.C. 20231


Sir:

In response to the Notice to Comply mailed March 13, 2001, Applicants respectfully re-submit a copy of the Request Under 37 C.F.R. §1.821(e), which was filed with the subject application and a copy of the sequence listing on January 22, 2001. Applicants also attach a copy of the date-stamped postcard receipt.

Applicants believe that no fee is required for this submission. However, should a fee be due, please charge such fee to Deposit Account No. 08-3425. A duplicate copy of this page is enclosed.

Respectfully submitted,

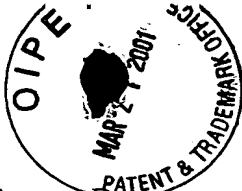
Date: March 21, 2001



Kenley K. Hoover
Registration No. 40,302
Attorney/Agent for Applicant

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 309-8504

KKH/ts



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/765,271	01/22/2001	Gil H. Choi	PB340P2

CONFIRMATION NO. 9691

FORMALITIES LETTER



OC000000005854449

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850

Date Mailed: 03/13/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

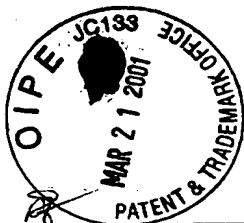
Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/765,271	01/22/2001	1641	968	PB340P2		21	6

CONFIRMATION NO. 9691

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850

RECEIVED FILING RECEIPT



OC000000005854448



MAR 15 2001

HGS PATENT DEPT.

Date Mailed: 03/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gil H. Choi, Rockville, MD;
Charles A. Kunsch, Norcross, GA;
Steven C. Barash, Rockville, MD;
Patrick J. Dillon, Residence Not Provided; Carlsbad, CA
Brain Dougherty, Killingworth, CT;
Michael R. Fannon, Silver Spring, MD;
Craig A. Rosen, Laytonsville, MD;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/029,960 10/31/1996
This Appln. is a Continuation of Appln. 09/536,784 Filed 3/28/2000 which is a Continuation of Appln. 08/961,083 Filed 10/30/1997 which

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Sequence Disclosures

Non-Publication Request: No

Early Publication Request: No

Title

Streptococcus pneumoniae antigens and vaccines

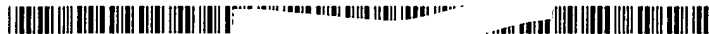


Preliminary Class
436

Data entry by : KELECHA, ASEGEDECH

Team : OIPE

Date: 03/13/2001





**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:



Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

VIA HAND DEL. JRY January 22, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Choi et al.

Application Number: To be assigned

Group Art Unit: To be assigned

Filed: Concurrently herewith

Examiner: To be assigned

Title: *Streptococcus pneumoniae* Antigens
and Vaccines

Attny. Docket No.: PB340P2C3

REQUEST UNDER 37 C.F.R. § 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir :


The above-identified patent application is a continuation of parent Application Serial No. 08/961,083, filed October 30, 1997. The sequence listing of the instant application is identical to the sequence content of the computer readable sequence listing previously filed in connection with Application Serial No. 09/536,784 filed March 28, 2000, also a continuation of parent Application Serial No. 08/961,083.

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in connection with Application Serial No. 09/536,784 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the specification of the instant application filed herewith.

Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing previously filed in connection with Application Serial No. 09/536,784 are the same and do not include new matter.

Respectfully submitted,

Date: January 22, 2001


Kenley K. Hoover (Reg. No. 40,302)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 610-5771 (telephone)

KKH/ba

Receipt



VIA HAND DELIVERY ON MARCH 21, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: CHOI et al.

Group Art Unit: 1641

Application No.: 09/765,271

Examiner: Unknown

Filed: January 22, 2001

Attorney Dkt. No.: PB340P2C3

For: *Streptococcus pneumoniae* Antigens and Vaccines

RECEIVED

JUL 17 2001

REQUEST FOR CORRECTION OF FILING RECEIPT

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Attn: Office of Initial Patent
Examination's Customer Service Center

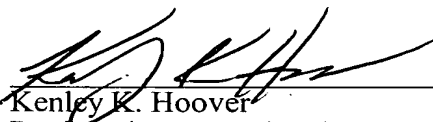
Sir:

Applicants hereby request that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the **fourth inventor's residence was not listed** and the **Continuing Data was not complete**. In support of the above request, a photocopy of the instant Official Filing Receipt is enclosed with the correction noted in red. It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3425. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

Dated: March 21, 2001


Kenley K. Hoover
Registration No. 40,302
Attorney/Agent for Applicant

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 309-8504

KKH/ts

Enclosures: Duplicate filing receipt with corrections
Duplicate of this sheet



RECEIVED

JUL 17 2001

TECH CENTER 1600/2900

HUMAN GENOME SCIENCES, INC.

Applicants: Choi et al.

Docket No.: PB340P2C3

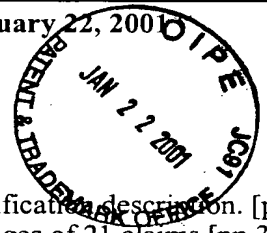
Application No.: To be assigned

Filed: January 22, 2001

Title: *Streptococcus pneumoniae* Antigens and Vaccines

Documents Filed Via Hand Delivery on January 22, 2001

1. Postcard(s) (2);
2. Utility Patent Application Transmittal;
3. Fee Transmittal Sheet w/appropr. fee (in dupl.);
4. Application Data Sheet (2 pages);
5. Specification (388 pages, including 110 pages specification description. [pp 1-110]; 274 pages sequence listing [pp 111-384]; 3 pages of 21 claims [pp 385-387]; and 1 page abstract [pg 388];
6. Request Under 37 C.F.R. § 1.821(e); and
7. Copies of Declarations from parent application Serial No. 08/961,083 (in five counterparts; 15 pages).



KKH/ba

Attn: Legal Department